

Message Text

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17

ACTION TRSE-00

INFO OCT-01 EA-11 ISO-00 NEA-10 IO-14 H-03 L-03 PRS-01

PA-04 USIA-15 SP-03 AID-20 EB-11 NSC-07 RSC-01

CIEP-02 SS-20 STR-08 OMB-01 CEA-02 CIAE-00 COME-00

FRB-02 INR-10 NSAE-00 XMB-07 OPIC-12 LAB-06 SIL-01

DRC-01 /176 W

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 2524

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USADB

TREASURY FOR FINKEL PASS BRADFIELD AND MEIGHER

E.O. 11652: ADS, DECLAS 6/30/74

TAGS: EAID, EFIN

SUBJ: TERMS AND CONDITIONS OF US SPECIAL FUNDS CONTRIBUTION

1. REGARDING MEANS BY WHICH ADB WOULD ASSURE U.S.
TYING REQUIREMENTS PROPERLY ENFORCED, BANK SUGGESTS
FOLLOWING MODIFICATIONS OF RAE DRAFT AGREEMENT
PREPARED IN WASHINGTON AND SUBMITTED TO MEIGHER/BRADFIELD.

QUOTE (A) DELETE LAST SENTENCE OF ART III C, AND REPLACE
IT WITH FOLLOWING SENTENCES:

"THE BANK SHALL ADOPT AND CAUSE ITS BORROWERS
TO ADOPT PROCEDURES TO ENSURE COMPLIANCE WITH SUBPARA
(1) ABOVE. SUCH PROCEDURES SHALL INCLUDE THE OBTAINING
OF APPROPRIATE ASSURANCES AND WARRANTIES FROM SUPPLIERS,
AND INSPECTION BY BANK STAFF DURING VISITS TO THE PROJECT
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SITE OF GOODS FINANCED FROM THE CONTRIBUTION."

(B) IN ART IV A(2), CHANGE WORD "AGREED" TO "ADOPTED". END QUOTE

2. REGARDING DETAILED IMPLEMENTATION OF THESE PROCEDURES, THE BANK ASSURED USADB IT WOULD CONSULT WITH US WHEN IT HAS FINALIZED A REVISED DRAFT OF ITS STANDARD ELIGIBILITY LETTER TO BORROWERS. THIS LETTER WILL SET OUT SPECIFIC PROVISIONS TO BE INCORPORATED IN CONTRACTS OF VARIOUS TYPES.

3. IF MODIFICATION GENERALLY ACCEPTABLE, USADB PREFERS TO SEE PHRASE QUOTE AND CAUSE ITS BORROWERS TO ADOPT END QUOTE DELETED. ENFORCEMENT MATTER BETWEEN USG AND ADB WITH ENFORCEMENT RESPONSIBILITIES RESTING WITH ADB. HENCE NO NEED FOR U.S. CONTRIBUTION AGREEMENT TO INCLUDE SPECIFIC REFERENCE TO PROCEDURES TO BE ADOPTED IN BORROWING COUNTRIES.

4. BECOMING INCREASINGLY UNLIKELY THE CONTRIBUTION CAN BE OFFERED TO BANK AND ACCEPTED BY BOARD PRIOR TO ANNUAL MEETINGS. LAST BOARD MEETING SCHEDULED APRIL 18.
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Message Attributes

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Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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EO Systematic Review
30 JUN 2005

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